

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD
IVC FILTERS PRODUCTS LIABILITY
LITIGATION MDL

2:15-md-02641-DGC
MDL No: 2641

This Document Relates to Plaintiff(s):

Charles Carruth

Civil Case # 2:19-CV-01039-PHX-DGC

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff, Charles Carruth, hereby gives notice that the above-captioned action is voluntarily dismissed without prejudice against the Defendants, with each party to bear its own costs. This notice of dismissal is filed with the Court prior to the filing of a motion for summary judgment.

It is further agreed that this notice is filed with the intention of refileing Plaintiff's case in New Jersey State Court. Defendants agree the date of filing in New Jersey State Court will relate back to the date of filing in this MDL, February 14, 2019.

Dated: January 10, 2020.

Respectfully Submitted,

/s/ Robert J. Fenstersheib
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CERTIFICATE OF SERVICE

I hereby certify that on 01/10/2020, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL. Additionally, I certify that on 01/10/2020 service was also made to the non-CM/ECF participant that was a party to this suit.

/s/ Robert J. Fenstersheib
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